

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PARIS CARTER,	)	
	)	2:11-cv-00825
Plaintiff,	)	Electronic Mail
	)	
v.	)	
	)	ECF Nos. 43, 48, 63
WILLIAM P. MULLEN, SHERIFF	)	
OF ALLEGHENY COUNTY, DEPUTY	)	
SHERIFF JAMES RAINEY, DEPUTY	)	
SHERIFF RYAN FOSTER, JESSE	)	
ENGRAM, and ALLEGHENY COUNTY,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

Plaintiff filed a Motion for Leave to Proceed in Forma Pauperis (ECF No. 1) on June 22, 2011, which was denied by the Court on June 27, 2011 (ECF No. 2). Plaintiff filed a subsequent Motion to Proceed in Forma Pauperis (ECF No. 3) on July 13, 2011, which was granted by the Court (ECF No. 4) on July 14, 2011. Plaintiff's Complaint was filed the same day. On July 20, 2011, Plaintiff, represented by counsel, filed an Amended Complaint (ECF No. 6). The case was referred to Chief United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court.

The Magistrate Judge's Report and Recommendation (ECF No. 63) filed on August 12, 2013, recommended that the Motions for Summary Judgment filed by all Defendants (ECF Nos. 43 & 48) be granted. Service was made on all counsel of record. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Local Rule of Court 72.D.2, the parties had fourteen (14) days from the date of service to file objections to the Report and Recommendation. Plaintiff filed Objections (ECF No. 64) on August 26, 2013,

and Defendants Rainey, Foster and Mullen filed a Response thereto (ECF No. 65) on September 3, 2013.

After review of the pleadings, documents in the case and the Objections, together with the Report and Recommendation, the following Order is entered:

**AND NOW**, this 13<sup>th</sup> day of September, 2013, it is hereby **ORDERED** that the Motions for Summary Judgment (ECF Nos. 43 & 48) are **GRANTED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF No. 63) of Chief Magistrate Judge Lenihan, dated August 12, 2013, is adopted as the Opinion of the Court.

The clerk shall mark the case **CLOSED**.



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David Stewart Cercone  
United States District Judge

cc: Honorable Lisa Pupo Lenihan  
Marvin Leibowitz, Esquire  
Lisa G. Michel, Esquire  
Craig E. Maravich, Esquire  
Michael H. Wojcik, Esquire

*(Via CM/ECF Electronic Mail)*